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Athena Pretory



Attorney Docket No. 04853.0072-00000

**In re Application of:**

Norimasa OKUDA et al.

Group Art Unit: 1625

Serial No.: 09/870,483

Examiner: Taylor V. OH

Filed: June 1, 2001

For: METHOD FOR PRODUCING  
ALPHA-  
HYDROXYCARBOXYLIC ACID

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## APPLICANT STATEMENT OF INTERVIEW SUMMARY

The undersigned now provides a statement of the substance of the interview he had with Examiner Oh on October 1, 2004.

Claims 27 and 28 were discussed. The undersigned authorized Examiner Oh's amendment to claims 27 and 28 as follows:

In claim 27, line 3 on page 3 (preliminary amendment on June 29, 2004):

The phrase "--consisting essentially of--" before the number " 5 " is to be deleted and replaced with "of".

In claim 27, line 4 on page 3 (preliminary amendment on June 29, 2004):

The phrase "--consisting essentially of--" before the number " 5 " is to be deleted and replaced with "of".

In claim 27, line 6 on page 3 (preliminary amendment on June 29, 2004):

The phrase "--consisting essentially of--" before the number " 5 " is to be deleted and replaced with "of".

In claim 28, line 2 on page 3 (preliminary amendment on June 29, 2004):

The phrase "--consisting essentially of--" before the number " 5 " is to be deleted and replaced with "of".

Examiner Oh stated that entry of the foregoing amendments would place the application in condition for allowance.

The Applicants clarify for the record that they agreed not with the Examiner's position regarding the alleged ambiguity in claims 27 and 28, but rather with the Examiner's suggestion to amend the claims. The Applicants believe that the language as originally presented is unambiguous and is fully supported by the application as filed. The Applicants agreed to amend the claims solely to advance prosecution of this application.

Please grant any extensions of time required to enter this Interview Summary and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 14, 2004

By: 

William R. Lambert  
Reg. No. 44,857